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SUBJECT: REP. ELLISON FINDS CONCERN ON CPA PROGRESS, STRONG SUPPORT FOR SECESSION IN JUBA

¶11. (SBU) SUMMARY: During his August 7-8 visit to Juba, Rep. Keith Ellison's senior interlocutors in the Government of Southern Sudan (GOSS) and the Southern Sudan Legislative Assembly (SSLAs) stressed the incomplete state of CPA implementation, particularly concerning border demarcation and preparations for elections and referenda. They expressed gratitude for continued U.S. support and urged continued engagement. Officials also sought to draw attention to the South's accomplishments in the face of major obstacles, and confirmed that secession in 2011 is a more likely outcome than unity. END SUMMARY.

Kiir: Too Early to Drop Sudan from State Sponsors List

¶12. (SBU) Rep. Ellison's Southern Sudanese interlocutors consistently expressed gratitude for American support to the South. Minister for Regional Cooperation Oyai Deng Ajak expressed strong support for an additional round of U.S.-facilitated trilateral talks to review agreements made so far and to push on remaining issues.

¶13. (SBU) When asked, President Salva Kiir emphasized that it was a U.S. decision whether to keep Sudan on the U.S. state sponsor of terrorism list, but he said that his personal opinion was that it would be premature to drop Sudan from the list. Hamas and Hezbollah keep offices in Khartoum, Kiir said, and even Osama bin Laden's cells remain active. He claimed reported Somali refugees currently arriving in Sudan are connected with Al Shabaab, a hardline Islamic group that is fighting the Government of Somalia for control. Kiir said that he could not provide evidence on the spot, but insisted that these groups are present, and proposed intelligence sharing between the United States and the Government of Southern Sudan.

Unity Preferable, But Hopes Dashed; Referendum Paramount

¶14. (SBU) Kiir and Oyai agreed in separate meetings that any delay or abrogation of the South's referendum on self-determination would lead to war. Oyai said that in such a situation, the return to war might not be driven by government but by "the common man or soldier in the street." Kiir said that President Bashir had recently promised him that the referendum bill would be the first on the National Assembly's agenda when it reconvenes. Oyai noted the parties' commitment to agree on the contents of the referendum's implementing statute by September 15, but noted with concern recent "negative comments" from NCP members.

¶15. (SBU) Ellison's interlocutors said that the efforts to support a united, transformed Sudan had been so unsuccessful that unity was unlikely. Kiir argued that the SPLM had challenged a decades-long trend of separatist southern thought in adopting a platform of unity and accepting a six-year interim period in which the people could

"reflect on the past and the present." But the absence of national development projects in Southern Sudan had caused people to lose hope in unity, he said. Oyai argued that even "those few" Southerners who genuinely wanted a united Sudan are changing their minds.

¶ 6. (SBU) Asked whether the South was ready for independence, Kiir rejected as unjustified reports that Southern Sudan would be a "pre-failed state." He said that the South has the resources and ability needed to stand on its own, adding that no one had believed after John Garang's death that the South would make it this far.

¶ 7. (U) Similarly, in a session with senior representatives of the South Sudan Legislative Assembly, the lawmakers emphasized their work to establish political, economic and legal frameworks for development in the south. They noted that they had passed 30 laws, and were currently studying ways they might reduce the region's dependence on oil revenues.

North Accused of Continued Interference

¶ 8. (SBU) Kiir said that Khartoum continues "to recruit and train militias," and is sending arms and forces into the south. He cited the case of General Gabriel Tang's provocative return to Malakal as an example of northern efforts to make the South ungovernable. In contrast, he argued that the South has fulfilled its security commitments, including withdrawing forces from Sudan's north and east, and integrating militias into the SPLA at great financial cost.

¶ 9. (SBU) UN Deputy Resident and Humanitarian Coordinator Lise Grande
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noted to Ellison in a later meeting, that the SPLM could request through one of several CPA-created security bodies that the United Nations investigate such accusations. Grande said that the SPLM has never done so, even when specifically made aware of this possibility.

Border Demarcation Potential Flashpoint

¶ 10. (SBU) Ellison's interlocutors consistently noted that most of Sudan's political parties joined them in rejecting the census results. They recommended a political agreement that avoided using the results for power- or wealth-sharing. Oyai specifically identified the 1983 census results as an alternative basis, which he said would ensure that the South kept at least a 30 percent weight in power-sharing.

¶ 11. (SBU) Kiir, Oyai, and members of the Legislative Assembly raised border demarcation as a top concern and potential flashpoint. Oyai said that the SPLM would handle disputes over four critical areas on the north-south border "responsibly." He and Kiir both noted that irreconcilable disagreements might need to be resolved "in the Hague."

Ellison on Darfur, Terrorist Designation, and Bashir

¶ 12. (U) During an interview with the UN-funded Miraya FM radio, Ellison noted that his visit had led him to believe there had been improvement in conditions in Darfur, but from a terribly low baseline. He argued that Sudan's designation as a state sponsor of terrorism should be reviewed based solely on relevant evidence. Ellison said he was glad that the CPA had emphasized unity, but that if unity could not be made to work there should be an equitable and orderly secession. Ellison noted that his fleeting encounter with President Bashir in Khartoum took place by chance and was unplanned. He noted that the United States is not party to the Rome Statute, but said that he would not object to deferring Bashir's arrest warrant if he facilitated peace implementation.

¶ 13. (SBU) COMMENT. Senior SPLM officials continue to discuss possible solutions to the census dispute that are based on a partial

or flawed understanding of previous census results. Post is not aware of any census result, for example, that reflects a 30 percent share for Southerners in Sudan's population. Discussion of arbitration as a possible solution to intractable north-south border disputes continues to have wide currency among Southern officials despite the likely delays it would cause. On one encouraging note, Minister Oyai repeatedly referenced deadlines set in the U.S.-brokered trilateral talks, suggesting that the new commitments emerging from that process have not been forgotten.

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